

FORM PTO-1390 (Modified)
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

2867-0185-2 PCT

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/530579

INTERNATIONAL APPLICATION NO.
PCT/SE98/01975INTERNATIONAL FILING DATE
30 OCTOBER 1998PRIORITY DATE CLAIMED
04 NOVEMBER 1997

TITLE OF INVENTION

RESOURCE OPTIMIZATION FUNCTION IN A DATA AND TELECOMMUNICATIONS SYSTEM

APPLICANT(S) FOR DO/EO/US

TELIA RESEARCH AB

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

Request for Consideration of Documents Cited in International Search Report

Notice of Priority

PCT/IB/304

PCT/IB/308

| | | |
|--|--|--|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/530579 | INTERNATIONAL APPLICATION NO. PCT/SE98/01975 | ATTORNEY'S DOCKET NUMBER 2867-0185-2 PCT |
|--|--|--|

20. The following fees are submitted..

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Search Report has been prepared by the EPO or JPO **\$840.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) **\$670.00**
- ☐ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) **\$760.00**
- ☒ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO **\$970.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) **\$96.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY****\$970.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
|--|--------------|--------------|--------------------------|
| Total claims | 7 - 20 = | 0 | x \$18.00 |
| Independent claims | 1 - 3 = | 0 | x \$78.00 |
| Multiple Dependent Claims (check if applicable). | | | <input type="checkbox"/> |

\$0.00**TOTAL OF ABOVE CALCULATIONS =****\$1,100.00**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

☐**\$0.00****SUBTOTAL =****\$1,100.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

+

\$0.00**TOTAL NATIONAL FEE =****\$1,100.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐**\$0.00****TOTAL FEES ENCLOSED =****\$1,100.00**

Amount to be:
refunded \$
charged \$

- ☒ A check in the amount of **\$1,100.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **15-0030** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
Crystal Square Five, Fourth Floor
1755 Jefferson Davis Highway
Arlington, Virginia 22202
703-413-3000

WILLIAM E. BEAUMONT
REGISTRATION NUMBER 30,996

SIGNATURE

Marvin J. Spivak

NAME

24,913

REGISTRATION NUMBER

DATE

SERIAL NO.: NEW U.S. PCT APPLICATION (based on PCT/SE98/01975)

FILED: HEREWITH

FOR: RESOURCE OPTIMIZATION FUNCTION IN A DATA AND TELECOMMUNICATIONS
SYSTEMASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

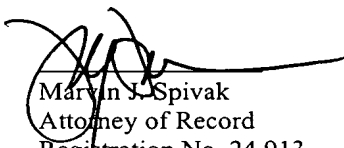
- ☒ No additional fee is required.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☒ Additional documents filed herewith: Notice of Priority/Request for Consideration/PCT/IB/304
PCT Transmittal Letter/PCT/IB/308/International Search Report/Preliminary Amendment
International Preliminary Examination Report/Check for \$1,100.00

The fee has been calculated as shown below.

| (Col. 1) | | (Col. 2) | | (Col. 3) | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|---|---------------------------|----------|--|------------------|--------------|-------------------|---------------------------|-------------------|
| | CLAIMS REMAINING AFTER | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDITIONAL FEE | RATE | ADDITIONAL FEE |
| TOTAL | * 7 | MINUS | ** 20 | = 0 | X9 = | \$ | X18 = | \$.00 |
| INDEP | * 1 | MINUS | *** 3 | = 0 | X39 = | \$ | X78 = | \$.00 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | | +130= | \$ | +260= | \$ |
| TOTAL | | | | | | \$ | TOTAL | \$.00 |

A check in the amount of \$_____ is attached.

- XX Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- XX If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

 Marvin J. Spivak
 Attorney of Record
 Registration No. 24,913
 William E. Beaumont
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*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.
 **If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space.
 ***If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: TELIA RESEARCH AB

SERIAL NUMBER: NEW U.S. PCT APPLICATION (based on PCT/SE98/01975)

FILED: HERewith

FOR: RESOURCE OPTIMIZATION FUNCTION IN A DATA AND
TELECOMMUNICATIONS SYSTEM

**REQUEST FOR CONSIDERATION OF DOCUMENTS
CITED IN INTERNATIONAL SEARCH REPORT**

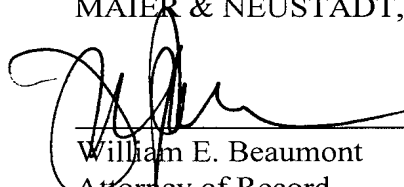
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



William E. Beaumont
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